

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 10, 1969

9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The Meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Absent: Councilman Janes

The Council recited the Lord's Prayer as the Invocation.

COMMUNITY COUNCIL

Mr. Homer Scase, Chairman of the Long Range Planning Committee introduced to the Council various members of the Community Council. Mr. Victor Ravel, Chairman of the Committee on City Programs, presented the subcommittee report to the Council. The following summary of recommendations in order of priority was presented.

HEALTH, WELFARE AND RECREATION SERVICES PROVIDED BY THE
CITY OF AUSTIN

Summary of Recommendations in Order of Priority

FIRST PRIORITY (Major increase in attention, funds, planning)

RECOMMENDATION: Emergency Medical Care is well developed at Brackenridge Hospital, but the service remains a first priority because of the need for new facilities.

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RECOMMENDATION: The city and the county, in increasing their support for the MH-MR Center, should recommend initiating and expanding prevention programs in mental health and mental retardation. This should have first priority over the next three to five years.

RECOMMENDATION: Family Planning Services have not been used to capacity by the families most needing the service. More effective outreach and public education is needed. This service should be given first priority in public education, planning and increased funding as use of the service increases.

The Long Range Planning Committee calls attention to the lack of a coordinated crisis intervention service in Austin or a system for immediate referral to mental health services. The Community Council would be pleased to work with the City and others in finding a solution to the operational problems in providing this service.

SECOND PRIORITY (Continued increase in attention and funds)

RECOMMENDATION: Day Care service of MH-MR is now an acceptably developed service which should be continued as a second priority in the city services.

RECOMMENDATION: Although Public Health Nursing is well developed and professionally staffed, there is both a need for additional nurses and for a second location in or a mobil unit for a low income high density area. This service should have second priority in developing its preventive services and third priority in crisis intervention.

RECOMMENDATION: Inpatient general medical care is well developed at Brackenridge Hospital and should be supported at the proposed building cost as a second priority over the next three to five years.

THIRD PRIORITY (Normal increase to take care of cost of living and growth)

RECOMMENDATION: Civil Defense should continue to be supported at the present level, allowing for increases with the growth of the city; it should be treated as a third priority within city services.

RECOMMENDATION: Federal contributions to the MH-MR Center are guided by a federal-nonfederal formula which decreases more rapidly than in other federal programs. The Center's programs are now well organized, badly needed, and early evaluation shows them more economical than long term mental hospital care. This is a third priority service among city supported services.

RECOMMENDATION: Environmental Sanitation should continue to be supported as a third priority, allowing for increases with the growth of the city.

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RECOMMENDATION: Physical Education and Athletics is very well developed by the Austin Parks and Recreation Department, excellently supported by the City of Austin, and therefore should be considered a third priority for further development over the next three to five years.

RECOMMENDATION: Social Recreation and Cultural Arts should continue to be supported at the present level, allowing for increases with the growth of the city. Because this is a well developed program it should receive third priority within the city services over the next three to five years.

RECOMMENDATION: As new school facilities are planned, the Austin Independent School District should give serious consideration to including a community wing (such as a gym, auditorium, playground, and library, for example), which could house those programs to which the public might have access outside of the school day without the necessity of opening the classroom section of the schools.

RECOMMENDATION: Psychiatric Outpatient Care given through the MH-MR Center should have third priority over the next three to five years, giving the Center time to stabilize its finances and to increase its emphasis on prevention services.

RECOMMENDATION: The Community Council has endorsed the phase 1B of Brackenridge construction which will include new waiting room, clinics, and expanded space for the Social Service Department. This committee also endorses the new construction, with the note that greater pressures may then be put on recruiting staff. The committee encourages the hospital to continue to improve this staffing in terms of training social service and other case aides so that they will have a better understanding of the job, the philosophy of outpatient care, and the problems faced by the patients. This is a well developed service and third priority.

RECOMMENDATION: The Children's Dental Clinic is a well developed service which should be continued under Health Department auspices should OEO funds be discontinued. It should have third priority support over the next three to five years.

DEMOLAY GOVERNMENT DAY

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, The Stephen F. Austin Chapter, Order of DeMolay is a group of young Austin men, 14-21 years of age, interested in gaining an increased knowledge in many areas, including local government, and

WHEREAS, to obtain this knowledge, each year, the DeMolays set aside "My Government Day" held one day in July, to witness and to participate in, firsthand, the workings of their local government, created by and for the people, and

WHEREAS, the means by which this outstanding group of young men learn of their city government, is a "DEMOLAY CITY COUNCIL," held during a regular meeting of the Austin City Council, and

WHEREAS, seven young men of this fine organization are selected to fill the chairs of the elected City Council and pass model legislation with the aid of the city manager and city attorney, and

WHEREAS, the new DeMolay City Councilmen are Daniel Dodson (Mayor Travis LaRue); Frank Jackson, (Mayor Pro-Tem Stuart MacCorkle); Joe Butler, (Councilman Les Gage); Jay Banks, (Councilman Jay Johnson); Jay Ledbetter, (Councilman Joe Atkison); Thomas Holloway, (Councilman D.R. Price); Dency Hutchings, (Councilman Ralph Janes); Edward Hackard, (City Attorney Glenn Brown); and King Reilly, (City Manager R.M. Tinstman).

NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF AUSTIN

That we hereby declare the "DEMOLAY CITY COUNCIL" shall be installed to their offices today during the Austin City Council recess, and

That Daniel Dodson is hereby declared "DEMOLAY MAYOR OF AUSTIN" for the session.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Absent: Councilman Janes

STATE WATER PLAN

Councilman Atkison offered the following amended resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the water resources of the State of Texas are vital to the State's continued development; and,

WHEREAS, the Texas Water Development Board has developed a comprehensive water plan for the entire State; and,

WHEREAS, the Legislature of the State of Texas has set an election on August 5, 1969, to authorize the issuance of bonds to finance this plan; and,

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WHEREAS, the implementation of this plan is most important to the citizens of the State as well as to the citizens of Austin; and,

WHEREAS, the City of Austin has direct responsibility as to water service for its citizens; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council encourages all Austin City Officials and employees to inform the public concerning this plan and bond issue so that they might cast an intelligent vote for the future of Texas.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

ZONING HEARING

C.R. THOMSON
C14-69-151

1913-1927 State Highway 71
1403 Pringle Circle

From "A" Residence,
"BB" Residence &
"GR" General Retail
To "GR" General Retail
RECOMMENDED by the
Planning Commission
with exception of
portion zoned "A"
Residence, which
should be retained,
subject to 25' set-
back line and a 6 foot
solid fence

Councilman Price moved the Council continue zoning application #C14-69-151 for two weeks. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

NAVIGATION BOARD

Councilman Johnson moved the Council continue consideration of the Navigation Board's rules for lake safety, skiing activity adjacent to City Park and jurisdiction of Decker Lake until July 17th. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

ANNEXATION HEARING

Mayor LaRue opened the public hearing scheduled for this time on the following annexation:

55.06 acres of land out of the James P. Wallace Survey No. 18 and the James Mitchell Survey - unplatted land (requested by representative or owners)

No one appeared to participate. Councilman Gage moved to close the hearing. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

Mayor LaRue brought up the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 55.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18 AND THE JAMES MITCHELL SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Gage moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman Gage moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

ZONING POLICY RESOLUTION

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

A RESOLUTION OF THE CITY COUNCIL OF AUSTIN, TEXAS, DECLARING ITS POLICY WITH RESPECT TO PUBLIC HEARINGS ON ZONING CASES AND RELATED PROCEDURES

WHEREAS, the zoning of private property throughout the community directly affects the use and benefits and enjoyments which private citizens make of their property, as well as the general development and broad public interest of the community; and

WHEREAS, it is the desire of the City Council to give full and adequate consideration to all zoning change applications and the interest of the various affected property owners; and

WHEREAS, the orderly and consistent processing and handling of all zoning cases will contribute to fair treatment of all interested citizens and will encourage adequate consideration of merits of each case; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following policies and procedures be hereafter observed:

1. Scheduling of hearings - Those zoning cases which are either uncontested or are conditionally recommended for approval by the Planning Commission shall be scheduled for public hearing at 9:30 A.M. on an appropriate hearing date. Those cases which are contested or on which the Planning Commission has recommended denial of the request shall be scheduled for 2:00 P.M. on the appropriate hearing date.

2. Dissemination of hearing notices - At the time of dissemination of hearing notices of the City Clerk, a return addressed, postage paid card shall be included with the hearing notice to provide nearby property owners with a ready opportunity to indicate their reaction and/or interest to the zoning change. In addition, a general information sheet shall also be included reflecting the policy of this resolution, zoning hearing procedures, applicable time limits, introduction of new information, etc.

3. Withdrawal of applications -

(a) request for withdrawal of application after the hearing by the Planning Commission may be made by filing such request with the City Clerk either prior to notices being sent out by City Clerk or at least within ten days (10) after hearing and action by the Planning Commission.

(b) such request for withdrawal must state therein the facts upon which the applicant relies as a basis for such request and a further statement that the applicant will not re-file an application for the re-zoning of this tract of land for at least six (6) months from date of granting such request. The request must be duly verified, otherwise withdrawal shall not be permitted except for good and sufficient cause shown to the City Council.

(c) should the request for withdrawal be granted by the City Council, immediate steps shall be taken to notify all persons concerned that such application has been withdrawn. The method prescribed in Article 1011f, V.A.T.S., shall be used in serving notice through the U.S. mails.

(d) in the event of a technical or legal error in connection with the application or a bona fide emergency, the City Council may waive the above requirements as well as the six (6) months deferral of reapplication provision in considering and acting on a zoning withdrawal.

4. Conduct of hearings - In an effort to be fair to all interested parties and to allow for reasonable opportunity for each case to be adequately presented and considered, and in an effort not to be repetitious of previous Planning Commission hearings:

(a) those individuals or parties appearing before the City Council shall be encouraged to present only new information not previously made available to the Planning Commission or reflected in the adequate Planning Commission minutes which are made available to the City Council.

(b) that in those cases involving large numbers of interested citizens, a spokesman shall be encouraged to express their various views.

(c) in those contested or other cases recommended for denial, approximately 30 minutes shall be allotted to each zoning case with equal time for presentation of both sides, with a normal time limit of five (5) minutes for each individual or spokesman.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Absent: Councilman Janes

AUSTIN BOAT RACES

Councilman Gage moved the Council approve the boat races for Sunday, July 27 from 10:00 A.M. to 2:00 P.M. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Janes

AUSTIN AQUA FESTIVAL

Councilman Gage moved the Council grant the request of the Austin Aqua Festival for a Pet Parade and Twilight Land Parade on August 1, 1969, from 7:00 P.M. to 9:00 P.M. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

PARADE PERMIT

Councilman Price moved the Council authorize the parade permit for the Travis County Sheriff's Posse parade on July 16, 1969, from 6:30-8:00 p.m. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

MODEL NEIGHBORHOOD PLANNING

Councilman Johnson moved the Council approve the contract with HUD for financing of Model Neighborhood Planning. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

ANNEXATION ORDINANCE

Mayor LaRue brought up the following ordinance for its final reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 75.38 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT AND 3.60 ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

AUSTIN CITY CODE AMENDMENT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

TRACT 1: A 5.77 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 1126-1316 BARTON HILLS DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

TRACT 2: A 1.34 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1240-1316 BARTON HILLS DRIVE AND 2600-2612 TRAILSIDE DRIVE, FROM "LR" LOCAL RETAIL DISTRICT TO "B" RESIDENCE DISTRICT; AND

TRACT 3: A 2.16 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1126-1228 BARTON HILLS DRIVE, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

LOT 24, SAVE AND EXCEPT THE NORTH 65 FEET OF THE EAST 180 FEET, CREST HAVEN ADDITION, LOCALLY KNOWN AS 1900-1906 REDWOOD AVENUE AND THE REAR OF 1908-1910 REDWOOD AVENUE AND 3510-3520 EAST 19TH STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;

SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Janes

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Janes

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

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- (1) A 9,702 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 3537-3541 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;
 - (2) A 4 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3600-3610 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
 - (3) AN 11,776 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1008-1010 WEST AVENUE AND 801-805 WEST 11TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
 - (4) THE SOUTH 10' OF LOTS 5 AND 6, BLOCK 1, MK & T ADDITION, LOCALLY KNOWN AS THE REAR OF 809-903 EAST 1ST STREET, AND 91 NORTH INTERREGIONAL HIGHWAY, FROM SECOND HEIGHT AND AREA DISTRICT TO THIRD HEIGHT AND AREA DISTRICT;
 - (5) A 9,148 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 6613-6701 BERKMAN DRIVE, FROM "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND
 - (6) LOT 4 OF THE ISAAC WOODS SUBDIVISION, LOCALLY KNOWN AS 1713 BLUEBONNET LANE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Absent: Councilman Janes

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Absent: Councilman Janes

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

SUBSTANDARD STRUCTURE

Councilman Gage moved the Council reconsider recommendation of the Building Standards Commission as to substandard structures at 2114 East 8th Street. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

ANNEXATION ORDINANCE SET FOR HEARING

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.18 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Gage moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on July 24, 1969 at 9:30 A.M. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.115 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS GRANT; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Gage moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on July 24, 1969, at 9:30 A.M. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.27 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Gage moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on July 24, 1969 at 9:30 A.M. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None
Absent: Councilman Janes

STREET VACATION

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF MATTHEWS LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO ZONING TEXT HEARING SET

Councilman Johnson moved the Council set a hearing for August 21, 1969, at 9:30 A.M. on the Amendment to the Zoning Text pertaining to Interim designation of newly annexed territory. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

RIGHT OF WAY SPACE FOR
TELEPHONE UTILITY

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone duct lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southwestern Bell Telephone Company be and the same is hereby permitted to lay and construct its underground telephone duct lines in and upon the following streets:

- (1) An underground telephone duct line in WEST 1ST STREET, from a point 10 feet west of the southerly prolongation of the east property line of Lavaca Street, easterly 529 feet; the centerline of which underground telephone duct line shall be 5 feet north of and parallel to the south property line of said WEST 1ST STREET.
- (2) An underground telephone duct line in WEST 1ST STREET, from a point 9 feet north of the south property line of said WEST 1ST STREET, northerly 52 feet; the centerline of which underground telephone duct line shall be 540 feet east of and parallel to the east property line of Lavaca Street.

- (3) An underground telephone duct line in LAVACA STREET, from a point 72 feet south of the north property line of West 1st Street, northerly 692 feet; the centerline of which underground telephone duct line shall be 19 feet west of and parallel to the east property line of said LAVACA STREET.
- (4) An underground telephone duct line in LAVACA STREET, from the point of intersection of a line 19 feet west of the east property line of said LAVACA STREET, and 692 feet north of the south property line of West 1st Street, to the point of intersection of a line 31 feet west of the east property line of said LAVACA STREET and 900 feet north of the south property line of said West 1st Street.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southwestern Bell Telephone Company of Austin, Texas.
- (4) The Southwestern Bell Telephone Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.
- (5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.
- (6) The City of Austin may revoke such permit for good cause after notice to the Southwestern Bell Telephone Company, in Austin, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

BOAT DOCK PERMIT

Councilman Gage moved the Council grant the request of Carl Smith for a boat dock extending 68' out into the lake. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

MO PAC BOULEVARD LAND ACQUISITIONS

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

George Harvey Hurt, et ux. 680201.268
(MoPac Blvd.) 3401 Funston

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$21,500.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

The South 104.15 feet of the West 82.9 feet of Block 14,
in Happy Hollow, a subdivision in the City of Austin,
Travis County, Texas, according to the map or plat of said
subdivision of record in Book 3, Page 227, of the Travis
County, Plat Records.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

Elo A. Hoppe, et ux. 680201.177
(Mo Pac Blvd.) 1712 Newfield Ln.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$18,000.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lots 91 and 92, Enfield "F", a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 3, Page 194, of the Travis County, Plat Records.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: Councilman Gage
 Absent: Councilman Janes

CONTRACT AWARDED

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 2, 1969, for the installation of approximately 982 feet of 12-inch cast iron water pipe in U.S. Highway 290 East from Charlton Drive to Ed Bluestein Boulevard and 2,364 feet of 8-inch asbestos cement sewer pipe in Little Walnut Creek Easement from Geneva Drive to U.S. Highway 290 East; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$48,164.90, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bland Construction Company, in the sum of \$48,164.90, be and the same is hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Bland Construction Company.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Absent: Councilman Janes

SALE OF HOUSES

Councilman Johnson moved the Council approve the sale of houses as follows:

- (1) 2401 Hartford Road to Wayne Rutland - \$1,000.00
- (2) 1604 Newfield Lane to J.A. Miller - \$1,697.00
- (3) 1506 Newfield Lane to M.C. Graham - \$3,150.15
- (4) 3405 Funston Street to M.E. Bell - \$2,695.00
- (5) 2200 Winsted Lane to Jack L. Webb and Herb Lasseter - \$913.00

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Absent: Councilman Janes

BIDS ADVERTISED ON SALE OF BONDS

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to advertise for bids on the sale of Bonds of the City of Austin at 10:30 A.M., CDT, September 25, 1969, as follows:

Electric Light and Power Revenue Bonds, authorized at an election April 2, 1966	\$5,300,000.00
Waterworks System Revenue Bonds, authorized at an election April 2, 1966	\$ 700,000.00
Revenue Bonds Total	\$6,000,000.00

Advertisements for such bids shall be in the usual and customary form and shall be published at least once in the Austin Statesman, Austin, Texas, and in the Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

PERSONNEL POLICIES-HOLIDAY

Mr. Tinstman noted that recent legislation passed by both the State Congress and Federal Congress necessitated an overall review of the City's holiday policies. It was suggested that certain State holidays be dropped such as San Jacinto Day, but such action would require compensation in pay raises. Mayor LaRue noted that the Council would continue their holiday study for an additional two weeks.

LEASE AGREEMENT

Councilman Johnson moved the Council authorize a lease agreement for 5600 square feet on the fourth floor of the Steck Building for two (2) years at \$.25 per square foot per month to Patrick Noack, James Leech III, Wayland Rivers, Jr., and Harry Whittington - \$33,600, for various City departments and divisions. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

POLICE STUDY

Councilman Johnson moved the Council draw up a resolution authorizing the City Manager to contract with the International Association of Chiefs of Police in the amount of \$5,700, to perform a study of the police department. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Janes

AMBULANCE REPORT

Mr. Tinstman noted that the Council members would receive copies of the Ambulance Report and shortly thereafter a copy would be sent to the study committee.

ACOUSTICS

The Council discussed briefly the acoustics in the auditorium. Councilman Gage suggested that another engineering department do the necessary repairs.

STREET USE RESOLUTION

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it is within the power and authority of the City of Austin to control and regulate the public streets of said City; and,

WHEREAS, it is the duty of the City Council to enact such legislation and adopt such policies as may be expedient for the maintenance of good government, order and peace of the City and the welfare, health, morals, comfort, safety and convenience of its inhabitants, including such ordinances and policies as may be necessary to effectuate the free, safe and orderly flow of traffic in and along the streets of this City; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council of the City of Austin hereby formally issues the following policy statement with respect to the use of public streets;

The public streets of the City of Austin are primarily for the purpose of providing for the safe and orderly flow of traffic within the City. That the owners and occupants of property abutting the streets normally have rights of access thereto which rights should be preserved and protected. That there are available within the City of Austin numerous facilities, both public and private, at which groups may gather for lawful purposes, many of which facilities are available at no cost. Therefore, it is the policy of this Council that streets not be used for purpose of public assembly when such is likely to interfere with the prime purpose of said street, namely, the safe and orderly flow of traffic.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, Price, Mayor LaRue

Noes: Councilman MacCorkle

Absent: Councilman Janes

July 10, 1969

ANNUAL AUDIT

The matter of the annual audit was placed on the agenda of July 24, 1969.

CASES PENDING AGAINST THE CITY
OF AUSTIN

Mr. Brown, City Attorney, noted that a study of the cases pending against Austin was being made. The study would include the nature of the cases pending, the parties involved, and cost if damages were claimed.

ASSOCIATION DUES

Councilman MacCorkle noted donations to the Texas Municipal League were great enough to justify a financial statement from them.

TAXICABS

City Manager Tinstman noted that the reports for taxicabs had been sent out to the Council members.

ADJOURNMENT

The Council then adjourned at 3:15 P.M.

APPROVED: 

Mayor

ATTEST: 

Asst. City Clerk